

**In the United States District Court for the  
Eastern District of North Carolina  
Southern Division**

Jerry McKoy,  
Plaintiff,  
vs.  
Martin J. O'Malley, Commissioner of  
Social Security,  
Defendant.

Civil Action No.  
**7:18-cv-00125-D**

**Order**

Upon consideration of Plaintiff's petition for attorney's fees under the Social Security Act, 42 U.S.C. § 406(b), and Defendant's response, it is

ORDERED that:

1. The plaintiff's attorney is awarded \$23,717.50 in attorney's fees under 42 U.S.C. § 406(b) less the \$5,500.00 previously paid to the Plaintiff's attorney under the Equal Access to Justice Act. The Court finds that reducing the fee award by \$5,500.00 is an appropriate and reasonable alternative to granting a full fee award but ordering counsel to reimburse the Plaintiff with the lesser award amount.

2. Defendant shall pay \$18,217.50 from Plaintiff's past-due benefits directly to Plaintiff's attorney for the net attorney's fees under the Social Security Act, 42 U.S.C. § 406(b), within a reasonable time.

SO ORDERED. This the 17 day of May, 2024.

  
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JAMES C. DEVER III  
United States District Judge